

Date of Deposit 03-23-04

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail, Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents

P.O. Box 1450, Alexandria, VA 22313-1450

R. Cox

(TYPED OR PRINTED NAME OF SENDER)

R. Cox

(SIGNATURE)

COMMISSIONER FOR PATENTS

Commissioner for Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

Sir:

This is a request for the filing of a:

Original (nonprovisional) Patent Application - 37 C.F.R. 1.53(b).

Continuation Patent Application - 37 C.F.R. 1.53(b)(1).

Divisional Patent Application - 37 C.F.R. 1.53(b)(1).

Continuation-in-part Patent Application (C-I-P) - 37 C.F.R. 1.53(b)(2).

Continued Prosecution Application (CPA) Continuation; Divisional - 37 C.F.R. 1.53(d).

Transmitted herewith for filing under 37 C.F.R. 1.53 is the patent application entitled: SEALED CRUSTLESS SANDWICH

The inventor(s) of the subject patent application are as follows: Len C. Kretchman and David P. Geske

The application is assigned to: The J.M. Smucker Company, an Ohio corporation

This application is not to be published under 35 U.S.C. 122(b). It is certified that the invention disclosed in the application has not been and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication at eighteen months after filing.

This patent application claims the benefit of prior application(s) under 35 U.S.C. § 119/120:

USA	10/314,770	December 9, 2002
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Country	Appln. No.	Filed
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USA	09/821,137	March 30, 2001**
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Country	Appln. No.	Filed
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Amend the specification by inserting before the first line the sentence: --- This patent application is a continuation, division, continuation-in-part of application Serial No. _____ filed on _____, and incorporated herein by reference. ---.

Enter the Amendment filed on _____ in the prior application in accordance with 37 C.F.R. 1.116.

Cancel claims _____ without prejudice.

Transfer the drawings from the prior application to this application.

****further continuation information on page 3.**

22859 10/806554 U.S. PTO

032304

Enclosed are:

X 9 Pages of the specification, abstract and claims.

X 4 Sheets of drawings.

X Declaration or Oath.

A certified copy of application(s): _____
from which priority is claimed.

X A preliminary amendment.

New drawings.

X Information Disclosure Statement (37 C.F.R. 1.98).

X Form PTO-1449.

Copies of the Form PTO-1449 citations.

The Power of Attorney in the application is to:

Robert V. Vickers (Reg. No. 19,504), E. Kent Daniels, Jr. (Reg. No. 19,598),
Thomas E. Young (Reg. No. 28,924), and Brian E. Turung (Reg. No. 35,394)

- a. The power is enclosed herewith.
- b. The power appears in the original papers of the prior application.
- c. Recognize as associate attorney and address all future communications to:

Address all correspondence to the undersigned at the address set forth below in accordance with the Power of Attorney.

The fee has been calculated as shown below.

Claims as Filed				
For	Number Filed	Number Extra	Rate	Basic Fee \$770.00
Total Claims	30 -20 =	10	x \$18	\$180.00
Independent Claims	2 - 3 =	0	x \$86	\$ 0.00
	Total Filing Fee --->			\$950.00

Assignment (\$40.00).

A check in the amount of \$ 950.00 to cover the required fees is enclosed.

X General Authorization to Charge Deposit Account For All Required Fees, Fees Under 37 C.F.R. 1.17,

or All Required Extension of Time Fees. Should any additional fees be required in connection with this application, **during the entire pendency of the application**, the Commissioner is authorized to charge any fees which may be required, or credit any overpayment to Account No. 06-0308. This transmission form is submitted in triplicate.

FAY, SHARPE, FAGAN, MINNICH & McKEE

By:

ROBERT V. VICKERS

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USA	09/404,701	<u>September 24, 1999</u>
Country	Appln. No.	Filed
USA	08/986,581	<u>December 8, 1997</u>
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